

*Suzanne Henderson*

**NOTICE OF CONFIDENTIALITY RIGHTS; IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS; YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT OF OIL AND GAS LEASE**

STATE OF TEXAS                    }  
  }  
COUNTY OF TARRANT        }                   KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, TSCA-230 L.L.C., as Lessor, did execute and deliver unto Vargas Energy, Ltd., as Lessee, an Oil and Gas Lease dated April 19, 2007 (the "Lease"), recorded as Instrument Number D207146380 of the Official Public Records of Tarrant County, Texas covering 18.2908 acres of land, more or less, being more particularly described in the above described Lease;

WHEREAS, by Assignment of Oil and Gas Leases dated August 1, 2007, recorded at Instrument Number D208015102, Vargas Energy, Ltd., assigned the Lease to XTO Energy Inc.;

WHEREAS, Lessor and Lessee desire to amend the Lease in accordance with this instrument.

NOW, THEREFORE, for and in good consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned parties do hereby amend the Lease, as follows:

Page 4, Article 6(e), Line 3, the following is hereby deleted:

“A Retained Tract for a vertical well, other than one completed in the Barnett Shale formation, may not exceed the size permitted by the Railroad Commission of Texas for a proration unit under the applicable field rules, but if field rules have not been established, a Retained Unit for such a vertical well may not exceed 40 acres in size; provided however, a Retained Unit for a vertical well producing from the Barnett Shale formation may be up to 80 acres in size. A retained Tract for a horizontal well will hold the acreage specified for a vertical well plus the additional acreage listed in the tables in Rule 86 and must comply with the requirements of Rule 86.

and replaced by the following:

“A Retained Tract for an oil well shall not exceed 40 acres, plus a tolerance of 10%, and a Retained Tract for gas shall not exceed 320 acres, plus a tolerance of 10%. Notwithstanding anything contained herein to the contrary, (a) a Retained Tract for a vertical well producing from the Barnett Shale formation will be twenty (20) acres and (b) a Retained Tract for a Horizontal Gas Well, as defined in the Rules of the Texas Railroad Commission, producing from the Barnett Shale formation, may not exceed 320 acres.”

Lessor hereby adopts, ratifies and confirms the Lease as to all of the terms and provisions therein, as hereby amended, and Lessor does hereby grant, lease, let and demise unto XTO Energy Inc., as Lessee, the lands covered by the Lease, in accordance with all of the terms and provisions of the Lease, as amended hereby.

This instrument shall be binding upon and inure to the benefit of Lessor and Lessee, their respective successors, personal representatives, and assigns.

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Except as herein amended, the Lease is and remains unchanged and in full force and effect as originally written.

IN WITNESS WHEREOF, this instrument is executed this the 24<sup>th</sup> day of June, 2009, but shall be effective for all purposes as of the date of the Lease.

LESSOR:

Tri-State Commercial Associates, a Texas joint venture

By: Tri-State Investors Group, a California limited partnership, joint venture

By: ATSO, Inc.  
A Texas corporation, general partner

By: [Signature]  
Coy Quine, President

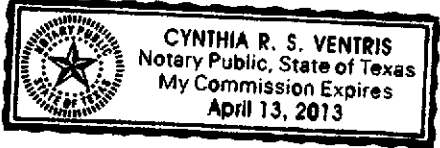
LESSEE:

XTO Energy Inc.

[Signature] SE  
Edwin S. Ryan, Jr.  
Senior Vice President – Land Administration

STATE OF TEXAS }  
COUNTY OF Dallas }

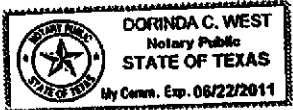
This instrument was acknowledged before me on this 24<sup>th</sup> day of June, 2009, by Coy Quine, President of ATSO Inc., a Texas corporation, general partner of Tri-State Investors Group, joint venture of Tri-State Commercial Associates.



[Signature]  
Notary Public, State of Texas

STATE OF TEXAS }  
COUNTY OF TARRANT }

This instrument was acknowledged before me on this 11 day of May, 2009, by Edwin S. Ryan Jr., Senior Vice President - Land Administration of XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



[Signature]  
Notary Public, State of Texas